

Remarks

Entry of the amendments, reconsideration of the application, as amended, and allowance of all pending claims are respectfully requested. Claims 1-65 remain pending.

With the above amendments, applicants are clarifying the term partition. For example, independent claims 1, 22, 43 and 45 have been amended to clarify that a partition has one or more central processors allocated thereto. Support for this amendment can be found throughout the specification (e.g., p. 11, lines 1-10; p. 12, lines 5-12; FIGs. 1a & 1b). Thus, no new matter is being added.

As a further example, claims 13, 34, 44 and 57 have been amended to indicate that the partition is a logical partition. Again, support for this amendment can be found in the original claims, as well as throughout the specification (e.g., p. 10, lines 24-29; p. 11, lines 1-19; FIGs. 1a & 1b). Thus, no new matter is being added.

In the Office Action dated February 19, 2003, claims 1-65 are rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" from the Background of the application in view of Maeurer et al. (U.S. Patent No. 5,301,323). Applicants respectfully, but most strenuously, traverse this rejection for the reasons herein.

Applicants' invention is directed, in one aspect, to managing a workload across two or more partitions of a computing environment. A partition is, for instance, a system image capable of operating as if it was a separate computer system. In one example, a partition has one or more central processors allocated thereto. One example of a partition is a logical partition. To manage the workload across partitions, shareable resources are dynamically redistributed across the partitions. The resources include, for instance, CPU resources, logical processor resources, I/O resources, co-processors, channel resources, network adapters and memory resources.

In one particular example, applicants claim (e.g., independent claim 1) a method of managing workload of a computing environment. The method includes, for instance, managing workload across two or more partitions of a plurality of partitions of the computing environment, wherein a partition has one or more central processors allocated thereto. The managing includes dynamically adjusting allocation of a shareable resource of at least one partition of the two or more partitions, wherein workload goals of the two or more partitions are being balanced. Thus, PO9-99-159

in one aspect of applicants' claimed invention, a workload across partitions is being managed, wherein a partition has one or more central processors allocated thereto. Further, the allocation of a shareable resource of a partition is dynamically adjusted in order to balance the workload of two or more partitions. This is not described in the "admitted prior art" or Maeurer, either alone or in combination.

For example, while applicants' Background mentions managing workload among logical partitions, there is no teaching or suggestion in the Background of dynamically adjusting allocation of a shareable resource of at least one partition, wherein workload goals of two or more partitions are being balanced. That is, there is no teaching or suggestion of moving resources to where they are needed. In contrast, the Background describes moving the work to physical resources of the system (see p. 4, lines 13-18). It fails to teach or suggest the moving of resources. Even the Office Action admits that the Background fails to teach or suggest dynamically adjusting allocation of a shareable resource, as claimed by applicants. Thus, Maeurer is relied on, in the Office Action, for these teachings. However, applicants respectfully submit that Maeurer fails to overcome the deficiencies of the "admitted prior art".

For example, Maeurer does not teach or suggest partitions, as claimed by applicants. Applicants respectfully submit that there is no teaching or suggestion in Maeurer of a partitioned system, in which a partition has one or more central processors allocated thereto. Instead, in Maeurer, a data processing system is disclosed having one CPU (see, e.g., FIG. 1, and Col. 4, lines 20-22). There is no discussion of a system having a plurality of partitions, as claimed by applicants. Thus, applicants respectfully submit that there is no teaching or suggestion in Maeurer of managing workloads across two or more partitions of a plurality of partitions, as claimed by applicants.

In support of the rejection, the Office Action equates a channel path with a partition. Applicants respectfully disagree. Applicants do not agree that a channel path is a partition, and in an effort to clarify the term "partition", applicants have amended independent claim 1 (as well as other independent claims) to indicate that a partition, in one example, has one or more central processors allocated thereto. This is very different from a channel path. Thus, applicants respectfully submit that Maeurer does not teach or suggest a partition, as claimed by applicants.

Since Maeurer does not teach or suggest a partition as claimed by applicants, it follows that Maeurer does not teach or suggest managing workload across two or more partitions of a plurality of partitions of a computing environment. Further, Maeurer does not teach or suggest dynamically adjusting allocation of a shareable resource of at least one partition of two or more partitions, as claimed by applicants. Since both the “admitted prior art” and Maeurer fail to teach or suggest dynamically adjusting allocation of a shareable resource of at least one partition of two or more partitions of a computing environment, the combination of those references also fails to teach or suggest applicants’ claimed invention. Thus, applicants respectfully submit that their invention is patentable over the combination of the “admitted prior art” and Maeurer. Therefore, applicants respectfully request an indication of allowance for independent claims 1, 22, 43 and 45. The claims which depend from those independent claims are patentable for the same reasons as the independent claims, as well as for their own additional features, and thus, applicants respectfully request an indication of allowance for those claims as well.

In addition to the above, applicants respectfully submit that independent claims 13, 34, 44 & 57, as well as those claims that depend therefrom, are patentable for the reasons presented above, as well as for their own additional features. For example, independent claim 13 recites managing workload of a logical partition. As described above, Maeurer fails to teach or suggest a logical partition, and therefore, fails to teach or suggest dynamically adjusting allocation of a shareable resource of at least one logical partition of two or more logical partitions, as claimed by applicants. Further, as described above, the “admitted prior art” also fails to teach or suggest dynamically adjusting allocation of a shareable resource of a logical partition. Thus, the combination of Maeurer and the “admitted prior art” fails to teach or suggest one or more aspects of applicants’ claimed invention. For at least this reason, applicants’ respectfully request an indication of allowability for independent claims 13, 34, 44 and 57, as well as the claims that depend therefrom.

Should the Examiner have any further concerns regarding this application, he is invited to contact applicants' representative at the below listed number. As requested by the Examiner, enclosed herewith is a diskette containing a copy of the Response to Office Action.

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